

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(PCT Article 36 and Rule 70)

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Applicant's or agent's file reference 11271P4 WO/CMB	FOR FURTHER ACTION		See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)
International application No. PCT/GB2004/002354	International filing date (day/month/year) 03.06.2004	Priority date (day/month/year) 10.06.2003	
International Patent Classification (IPC) or both national classification and IPC D06F39/02, A47L15/44			
Applicant RECKITT BENCKISER N.V. et al.			

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.

This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 3 sheets.
3. This report contains indications relating to the following items:
 - I Basis of the opinion
 - II Priority
 - III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV Lack of unity of invention
 - V Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI Certain documents cited
 - VII Certain defects in the international application
 - VIII Certain observations on the international application

Date of submission of the demand 24.03.2005	Date of completion of this report 05.09.2005
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer Spitzer, B Telephone No. +49 89 2399-7501 

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/GB2004/002354

I. Basis of the report

1. With regard to the elements of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-21 as originally filed

Claims, Numbers

1-22 filed with telefax on 24.03.2005

Drawings, Sheets

1/3-3/3 as originally filed

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- the language of publication of the international application (under Rule 48.3(b)).
- the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- contained in the international application in written form.
- filed together with the international application in computer readable form.
- furnished subsequently to this Authority in written form.
- furnished subsequently to this Authority in computer readable form.
- The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- the description, pages:
- the claims, Nos.:
- the drawings, sheets:

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5. This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).
(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)
6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	8, 15, 16, 18, 19
	No: Claims	1-9, 10-14, 17, 20, 21
Inventive step (IS)	Yes: Claims	
	No: Claims	1-22
Industrial applicability (IA)	Yes: Claims	1-22
	No: Claims	

2. Citations and explanations

see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/GB2004/002354

The following documents are referred to in this communication:

D1 : DE 297 01 333 U (WACHENDORFF CHEMIE GMBH) 3 April 1997 (1997-04-03)

D2 : GB 2 255 985 A (UNILEVER PLC) 25 November 1992 (1992-11-25)

1. Art. 6 PCT

- 1.1** The term "drinking glass" used in claim 6 is vague and unclear and leaves the reader in doubt as to the meaning of the technical feature to which it refers, thereby rendering the definition of the subject-matter of said claim unclear, Article 6 PCT.
- 1.2** The expression in parenthesis "(such as two)" is not part of the claim. For clarity reasons this expression should either be deleted or reformulated without parenthesis.
- 1.3** The features in the process claim 22 relate to a device rather than clearly defining the method in terms of its technical features. The intended limitations are therefore not clear from this claim, contrary to the requirements of Article 6 PCT.

2. Amendments

The amendments filed with the letter dated 24.3.2005 introduce subject-matter which extends beyond the content of the application as filed, contrary to Article 34(2)(b) PCT. The amendments concerned are the following: "wherein in use the inlet aperture is oriented facing upwards" (see claims 1, 21 and 22). This feature is only disclosed for the embodiment wherein the channel comprises a form similar to a drinking glass but not for a channel in general.

For the following examination this feature will be disregarded.

3. INDEPENDENT CLAIM 1

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.

Document D1 discloses (the references in parenthesis applying to this document): "An automatic washing machine detergent dispensing device (p. 1, l. 4-5,10) comprising a bar of detergent or detergent additive (p. 1, l. 5-6) disposed within a channel (p. 3, l. 14), wherein the detergent bar completely fills at least a portion of the channel across the entire bore of the channel (Fig. 1: 5, 12), the channel having an inlet aperture which is in communication therewith (Fig. 1: 8)." It has to be pointed out that also document D2 is novelty-destroying for the subject-

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matter of claim 1.

4. INDEPENDENT CLAIMS 21 AND 22

The objection mentioned under item 2 also holds for claims 21 and 22, where the use of said device is claimed.

5. DEPENDENT CLAIMS 2-20

Dependent claims 2-20 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step (Article 33(2) and (3) PCT) because of the following reasons:

- 5.1 The additional features of claims 2, 3, 4, 6 are known from D1 (Fig. 1: 5; p. 3, l. 14).
 - 5.2 The additional features of claim 5 are known from D1 (Fig. 1: 8).
 - 5.3 The additional features of claims 7, 8 are known from D1 (p. 3, l. 25-26).
 - 5.4 The additional features of claim 9 are known from D1 (Fig. 1: 8; p. 7, l. 10-11).
 - 5.5 The additional features of claims 10, 11, 12 are known from D2 (Fig. 1: 3).
 - 5.6 The additional features of claims 13, 14, 20 are known from D1 (Fig. 1: 2; p. 6, l. 12-13).
 - 5.7 The additional features of claims 15, 16, 18, 19 are a normal design procedure.
 - 5.8 The additional features of claim 17 are known from D1 (p. 7, l. 10-15).
6. Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the documents D1 and D2 is not mentioned in the description, nor are these documents identified therein.
 7. Independent claims 1, 21, and 22 are not in the two-part form in accordance with Rule 6.3(b) PCT, which in the present case would be appropriate, with those features known in combination from the prior art (document D1) being placed in the preamble (Rule 6.3(b)(I) PCT) and with the remaining features being included in the characterising part (Rule 6.3(b)(ii) PCT).

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CLAIMS

1. An automatic washing machine detergent dispensing device comprising a bar of detergent or detergent additive disposed within a channel, wherein the detergent bar completely fills at least a portion of the channel across the entire bore of the channel, the channel having an inlet aperture which is in communication therewith, wherein in use the inlet aperture is orientated facing upwards.
2. A device in accordance with claim 1, wherein the channel has a uniform bore, along its length / at least along the portion filled by the detergent bar.
3. A device in accordance with claim 1 or 2, wherein the channel is a tube.
4. A device in accordance with claim 4, wherein the tube is cylindrical.
5. A device in accordance with any one of claims 1 to 4, wherein the channel has one open end which communicates with the inlet aperture.
6. A device in accordance with claim 5, wherein the channel comprises a form similar to a drinking glass.
7. A device in accordance with claim 1,2,3 or 4, wherein the channel has a plurality of (such as two) open ends each of which being in communication with an inlet aperture.

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8. A device in accordance with claim 5, wherein the channel comprises a tube both ends of which are open.
9. A device in accordance with claim 5, 6, 7 or 8, wherein the open end of the channel comprises the inlet aperture.
10. A device in accordance with any one of claims 1 to 9, wherein the channel has a secondary aperture.
11. A device in accordance with claim 10, wherein the secondary aperture comprises a slit in the side of the channel.
12. A device in accordance with claim 10, wherein the secondary aperture may comprise a plurality of separate apertures.
13. A device in accordance with any one of claims 1 to 12, wherein a barrier is arranged around the periphery of the channel.
14. A device in accordance with claims 13, wherein the barrier comprises a sleeve arranged around the exterior of the channel.
15. A device in accordance with any one of claims 10 to 14, wherein the diameter of the secondary aperture is larger than the holes of the dishwasher sieve.
16. A device in accordance with any one of claims 10 to 14, wherein the diameter of the secondary aperture is less than 5mm.

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17. A device in accordance with any one of claims 1 to 16, wherein the device comprises a means to control the amount of wash liquor which contacts the detergent bar.
18. A device in accordance with claim 17, wherein the means comprises a collecting funnel.
19. A device in accordance with claim 18, wherein the collecting funnel has a drainage opening in its collecting portion.
20. A device in accordance with any one of claims 1 to 19, wherein the channel comprises a water-resistant / water insoluble material.
21. The use of an automatic washing machine detergent dispensing device in an automatic washing machine process, wherein the device comprises a bar of detergent disposed within a channel, the detergent bar completely filling at least a portion of the channel across the entire bore of the channel, the channel having an aperture which is in communication therewith, wherein in use the inlet aperture is orientated facing upwards.
22. An automatic washing machine process, comprising a detergent dispensing device, wherein the device comprises a bar of detergent disposed within a channel, the detergent bar completely filling at least a portion of the channel across the entire bore of the channel, the channel having an aperture which is in communication therewith, wherein in use the inlet aperture is orientated facing upwards.